

No. 19-0109

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The district court certified for an interlocutory appeal under § 1292(b) whether Michigan's eavesdropping statute prohibits a participant from recording, without the consent of all parties thereto, a private conversation. The Michigan Supreme Court has not addressed this question, which may be controlling as to some of the claims asserted below. The defendants have not demonstrated, however, that an immediate appeal will advance the termination of the litigation because the litigation is likely to proceed in substantially the same manner regardless of its outcome.

Accordingly, the petition to appeal is **DENIED**. We decline to direct the district court to certify the question of law to the Michigan Supreme Court and express no opinion as to whether such a certification is warranted in this case.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Re: Case No. 19-109, *In re: Project Veritas, et al*
Originating Case No. : 4:17-cv-13292

Dear Counsel:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Karen S. Fultz
Case Manager
Direct Dial No. 513-564-7036

cc: Mr. Mark Howard Cousens
Mr. Paul Mathew Mersino
Mr. Joshua Rosenthal
Mr. David J. Weaver

Enclosure

No mandate to issue